

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Adairan Martell Davis,  
  
Plaintiff,

Case No. 21-cv-1811 MJD/ECW

v.

**ORDER**

State of MN et al,  
  
Defendants.

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Based upon the Report and Recommendation by United States Magistrate Judge Elizabeth Cowan Wright dated August 31, 2021, all the files and records, and no objections having been filed to said Report and Recommendation, **IT IS HEREBY ORDERED** that:

1. The Petition (Dkt. No. 1) is **DENIED WITHOUT PREJUDICE**.
2. This matter is **DISMISSED**.
3. The IFP Application (Dkt. No. 2) is **DENIED AS MOOT**.
4. A certificate of appealability is **DENIED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: September 21, 2021

s/Michael J. Davis  
MICHAEL J. DAVIS  
United States District Judge